

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**LOWER48 IP LLC,**

Plaintiff,

v.

**SHOPIFY INC.,**

Defendant.

Civil Action No. 6:22-cv-00997-DAE

**ORDER GRANTING JOINT MOTION TO MODIFY  
THE SCHEDULING ORDER**

Before the Court is the Joint Motion to Modify the Scheduling Order. (Dkt. # 43.) The Court has considered the Joint Motion to Modify the Scheduling Order and finds that it is meritorious and should be granted in its entirety.

**IT IS ORDERED** that the Joint Motion to Modify the Scheduling Order is hereby **GRANTED**.

**IT IS FURTHER ORDERED** that the Scheduling Order (Dkt. # 22) is modified, as follows:

<b>Deadline</b>	<b>Original</b>	<b>New Deadline</b>
Defendant's Opening Claim Construction Brief	February 9, 2024	Cancelled
Plaintiff's Responsive Claim Construction Brief	March 8, 2024	Cancelled
Defendant's Reply Claim Construction Brief	March 22, 2024	Cancelled
Joint Claim Construction Statement	March 29, 2024	Cancelled

<i>Markman</i> Hearing	--	Cancelled
Fact Discovery Opens	--	April 8, 2024
Final Infringement Contentions and Invalidity Contentions	Eight weeks after <i>Markman</i> hearing	June 7, 2024
Mediation and Report Deadline (Local Rule CV-88)	Sixty days after entry of <i>Markman</i>	July 1, 2024
Fact Discovery Closes	October 18, 2024	October 18, 2024 (unchanged)
Opening Expert Reports	November 15, 2024	November 15, 2024 (unchanged)
Rebuttal Expert Reports	January 13, 2025	January 13, 2025 (unchanged)
Expert Discovery Closes	March 10, 2025	March 10, 2025 (unchanged)
Opening Dispositive and <i>Daubert</i> motions	May 8, 2025	May 8, 2025 (unchanged)

Signed: February 16, 2024

David Alan Ezra  
Senior United States District Judge